



# **CITY OF MIAMI GARDENS SPECIAL CITY COUNCIL MEETING AGENDA**

**Meeting Date: November 7, 2011**  
1515 NW 167<sup>th</sup> St., Bldg. 5, Suite 200  
Miami Gardens, Florida 33169  
**Next Regular Meeting Date: November 9, 2011**  
Phone: (305) 622-8000 Fax: (305) 622-8001  
Website: [www.miamigardens-fl.gov](http://www.miamigardens-fl.gov)  
**Time: 6:00 p.m.**

Mayor Shirley Gibson  
Vice Mayor Aaron Campbell Jr.  
Councilwoman Lisa Davis  
Councilman André Williams  
Councilwoman Felicia Robinson  
Councilman David Williams Jr.  
Councilman Oliver G. Gilbert III  
City Manager Dr. Danny O. Crew  
City Attorney Sonja K. Dickens, Esq.  
City Clerk Ronetta Taylor, MMC

**City of Miami Gardens Ordinance No. 2007-09-115 requires all lobbyists before engaging in any lobbying activities to register with the City Clerk and pay an annual fee of \$250.00. This applies to all persons who are retained (whether paid or not) to represent a business entity or organization to influence “City” action. “City” action is broadly described to include the ranking and selection of professional consultants, and virtually all-legislative, quasi-judicial and administrative action. All not-for-profit organizations, local chamber and merchant groups, homeowner associations, or trade associations and unions must also register however an annual fee is not required.**

- (A) CALL TO ORDER/ROLL CALL**
- (B) INVOCATION**
- (C) PLEDGE OF ALLEGIANCE**
- (D) ORDINANCE(S) SECOND READING/PUBLIC HEARING(S)**
  - D-1) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, PROVIDING FOR AN AMENDMENT TO SECTION 2.3(C), OF THE CHARTER OF THE CITY OF MIAMI**

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Language deleted is stricken through and language added is underlined.

**GARDENS TO DELETE REFERENCE TO RESIDENTIAL AREA BOUNDARY DESCRIPTIONS AND AUTHORIZE THE CITY COUNCIL TO AMEND RESIDENTIAL AREA BOUNDARY DESCRIPTIONS BY ORDINANCE AFTER EACH DECENNIAL CENSUS; SUBMITTING THE QUESTION FOR APPROVAL OF THE ELECTORATE OF THE CITY OF MIAMI GARDENS AT THE SPECIAL ELECTION TO BE HELD ON JANUARY 31, 2012; PROVIDING FOR THE CALL OF THE ELECTION ON THE ISSUE TO BE PRESENTED ON THE BALLOT; PROVIDING FOR AUTHORITY TO THE CITY ATTORNEY AND CITY CLERK; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES AND RESOLUTIONS IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY CLERK)**

**(E) ADJOURNMENT.**

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, ALL PERSONS WHO ARE DISABLED AND WHO NEED SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THIS MEETING BECAUSE OF THAT DISABILITY SHOULD CONTACT RONETTA TAYLOR, CITY CLERK (305) 622-8003, NOT LATER THAN 48 HOURS PRIOR TO SUCH PROCEEDING. TDD NUMBER 1-800-955-8771.

ANYONE WISHING TO OBTAIN A COPY OF ANY AGENDA ITEM MAY CONTACT RONETTA TAYLOR, CITY CLERK (305) 622-8003.

ANYONE WISHING TO APPEAL ANY DECISION MADE BY THE CITY OF MIAMI GARDENS WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING OR HEARING WILL NEED A RECORD OF THE PROCEEDINGS AND, FOR SUCH PURPOSE, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

**Please turn-off all beepers and cellular telephones to avoid interrupting the council meeting.**



## City of Miami Gardens Agenda Cover Memo

<b>Council Meeting Date:</b>	November 7, 2011		<b>Item Type:</b> <small>(Enter X in box)</small>	<b>Resolution</b>	<b>Ordinance</b>	<b>Other</b>	
					X		
<b>Fiscal Impact:</b> <small>(Enter X in box)</small>	<b>Yes</b>	<b>No</b>	<b>Ordinance Reading:</b> <small>(Enter X in box)</small>	<b>1<sup>st</sup> Reading</b>		<b>2<sup>nd</sup> Reading</b>	
	X					x	
				<b>Public Hearing:</b> <small>(Enter X in box)</small>	<b>Yes</b>	<b>No</b>	<b>Yes</b>
						x	
<b>Funding Source:</b>	General Fund-City Clerk		<b>Advertising Requirement:</b> <small>(Enter X in box)</small>	<b>Yes</b>		<b>No</b>	
				x			
<b>Contract/P.O. Required:</b> <small>(Enter X in box)</small>	<b>Yes</b>	<b>No</b>	<b>RFP/RFQ/Bid #:</b>	N/A			
		X					
<b>Strategic Plan Related</b> <small>(Enter X in box)</small>	<b>Yes</b>	<b>No</b>	<b>Strategic Plan Priority Area:</b>  Enhance Organizational <input type="checkbox"/> Bus. & Economic Dev <input type="checkbox"/> Public Safety <input type="checkbox"/> Quality of Education <input type="checkbox"/> Qual. of Life & City Image <input type="checkbox"/> Communication <input type="checkbox"/>	<b>Strategic Plan Obj./Strategy:</b> <small>(list the specific objective/strategy this item will address)</small> N/A			
		X					
<b>Sponsor Name</b>	Ronetta Taylor, City Clerk		<b>Department:</b>	<b>Office of the City Clerk</b>			

**Short Title:**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, PROVIDING FOR AN AMENDMENT TO SECTION 2.3(C), OF THE CHARTER OF THE CITY OF MIAMI GARDENS TO DELETE REFERENCE TO RESIDENTIAL AREA BOUNDARY DESCRIPTIONS AND AUTHORIZE THE CITY COUNCIL TO AMEND RESIDENTIAL AREA BOUNDARY DESCRIPTIONS BY ORDINANCE AFTER EACH DECENNIAL

CENSUS; SUBMITTING THE QUESTION FOR APPROVAL OF THE ELECTORATE OF THE CITY OF MIAMI GARDENS AT THE SPECIAL ELECTION TO BE HELD ON JANUARY 31, 2012; PROVIDING FOR THE CALL OF THE ELECTION ON THE ISSUE TO BE PRESENTED ON THE BALLOT; PROVIDING FOR AUTHORITY TO THE CITY ATTORNEY AND CITY CLERK; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES AND RESOLUTIONS IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

**Staff Summary:**

Federal law mandates that a census be conducted every ten (10) years. The 2010 census revealed a disparity between the populations of Residential Area Seats One and Four. Section 166.031(3), Florida Statutes authorizes the City Council to redefine its boundaries by Ordinance, however the Residential Area boundary descriptions are referenced in Section 2.3(C) of the Charter requiring a voter referendum for redistricting. The proposed Charter amendment will eliminate the need for the City to present the question to the electorate at the conclusion of each decennial census.

**Proposed Action:**

That the City Council adopt the attached Ordinance.

**Attachment:**

None.

ORDINANCE No. 2011-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, PROVIDING FOR AN AMENDMENT TO SECTION 2.3(C), OF THE CHARTER OF THE CITY OF MIAMI GARDENS TO DELETE REFERENCE TO RESIDENTIAL AREA BOUNDARY DESCRIPTIONS AND AUTHORIZE THE CITY COUNCIL TO AMEND RESIDENTIAL AREA BOUNDARY DESCRIPTIONS BY ORDINANCE AFTER EACH DECENNIAL CENSUS; SUBMITTING THE QUESTION FOR APPROVAL OF THE ELECTORATE OF THE CITY OF MIAMI GARDENS AT THE SPECIAL ELECTION TO BE HELD ON JANUARY 31, 2012; PROVIDING FOR THE CALL OF THE ELECTION ON THE ISSUE TO BE PRESENTED ON THE BALLOT; PROVIDING FOR AUTHORITY TO THE CITY ATTORNEY AND CITY CLERK; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES AND RESOLUTIONS IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, federal law mandates that a census be conducted every ten (10) years,  
and

WHEREAS, the 2010 census revealed a disparity between the populations of  
Residential Area Seats One and Four, and

WHEREAS, §166.031(3), Florida Statutes, authorizes the City Council to redefine its  
boundaries by Ordinance, however the Residential Area boundary descriptions are  
referenced in Section 2.3(c) of the Charter requiring a voter referendum for redistricting, and

WHEREAS, the proposed Charter amendment will eliminate the need for the City to  
present the question to the electorate at the conclusion of each decennial census,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF

MIAMI GARDENS as follows:

SECTION 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas Clauses are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Ordinance.

SECTION 2. APPROVAL: The City Council hereby amends Section 2.3(C) of the Charter as follows:

(C) *Residential Areas. Seats 1-4.* The City shall be divided into four residential areas as set out in the original Charter of the City of Miami Gardens, approved on May 13, 2003. Individually each is a "Residential Area" collectively "Residential Areas." One Council member shall be elected to a Seat from each Residential Area. Council members from Residential Areas are collectively the "Residential Area Council members." Individually each is a "Residential Area Council member." The City Council shall have the authority to amend Residential Area boundary descriptions by Ordinance after each decennial census. ~~The Residential Areas corresponding to each Seat are formally set forth below:~~

Seat 1	Northern Boundary:	N.W. 215 <sup>th</sup> Street
	Eastern Boundary:	N.W. 27 <sup>th</sup> Avenue, N.W. 20 <sup>th</sup> Avenue
	Southern Boundary:	N.W. 199 <sup>th</sup> Street, west to N.W. 37 <sup>th</sup> Avenue, south to N.W. 191 <sup>st</sup> Street, west to N.W. 42 <sup>nd</sup> Avenue, South to SR 826, west to 47 <sup>th</sup> Avenue.
	Western Boundary:	N.W. 47 <sup>th</sup> Avenue
Seat 2	Northern Boundary:	N.W. 215 <sup>th</sup> Street
	Eastern Boundary:	N.E. 2 <sup>nd</sup> Avenue, south to N.W. 199 <sup>th</sup> Street, west to North Miami Avenue, south to N.W. 183 <sup>rd</sup> Street
	Southern Boundary:	N.W. 183 Street
	Western Boundary:	Florida Turnpike, north to N.W. 199 <sup>th</sup> Street, west to N.W. 27 <sup>th</sup> Avenue, north to N.W. 215 <sup>th</sup> Street

- Seat 3      ~~Northern Boundary: N.W. 199<sup>th</sup> Street, south along Florida Turnpike, to N.W. 183<sup>rd</sup> Street, east along N.W. 183<sup>rd</sup> Street to North Miami Avenue.~~
- ~~Eastern Boundary: North Miami Avenue, South to SR 9, southwest on SR 9 to N.W. 151<sup>st</sup> Street~~
- ~~Southern Boundary: N.W. 151<sup>st</sup> Street to N.W. 27<sup>th</sup> Avenue.~~
- ~~Western Boundary: N.W. 27<sup>th</sup> Avenue~~
- Seat 4      ~~Northern Boundary: N.W. 199<sup>th</sup> Street, west to N.W. 37<sup>th</sup> Avenue, south to N.W. 191<sup>st</sup> Street, west to N.W. 42<sup>nd</sup> Avenue, south to SR 826, west to 57<sup>th</sup> Avenue.~~
- ~~Eastern Boundary: N.W. 27<sup>th</sup> Avenue.~~
- ~~Southern Boundary: N.W. 151<sup>st</sup> Street to N.W. 57<sup>th</sup> Avenue.~~
- ~~Western Boundary: N.W. 57<sup>th</sup> Avenue, north to SR 826, east to N.W. 47<sup>th</sup> Avenue, north to N.W. 191<sup>st</sup> Street, east to 37<sup>th</sup> Avenue, north to N.W. 199<sup>th</sup> Street, east to N.W. 27<sup>th</sup> Avenue.~~

SECTION 3. ELECTION CALL: The Mayor and City Council hereby call for an election to be held concurrent with the election to be held in the month of January 2012, at such time as may be convenient for, and determined in accordance with the procedure of the Supervisor of Elections in and for Miami-Dade County, Florida, the City Clerk and City Attorney are hereby directed and empowered to do such things as may be necessary and proper in accordance with the laws of the City of Miami Gardens and the laws of the State of Florida to provide for such election on the proposition herein contemplated; and there should be presented to the electorate of the City of Miami Gardens, the question of whether or not to

SECTION 4. ELECTORATE APPROVAL NECESSARY: There shall be placed on the ballot of the Special Election to be held in the month of January 2012, in accordance with the call thereof by the City Council, the following proposition of whether to amend Section 2.3(C) of the Charter to delete reference to residential area boundary descriptions and

authorize the City Council to amend residential area boundary descriptions by ordinance after each decennial census; providing that each elector shall indicate such elector's approval for the proposition; providing further, that in the event the elector shall indicate both approval for and against such change, such elector's vote and ballot shall not be counted in determining the question presented on such ballot and in such election. One ballot shall be established and made available to each elector, by electronic or other means for the purpose of expression of such elector's approval or disapproval of the proposition and such proposition shall be summarized as follows:

**DELETING CHARTER REFERENCES TO RESIDENTIAL BOUNDARIES AND  
PERMITTING SUCH BOUNDARIES TO BE AMENDED BY ORDINANCE**

Shall Section 2.3(C) of the City Charter be amended to delete Residential Area boundary descriptions and authorize the City Council to amend Residential Area boundary descriptions by Ordinance after each decennial census?

For\_\_\_\_\_

Against\_\_\_\_\_

SECTION 5: AUTHORITY: The City Attorney and City Clerk are hereby authorized to make any such amendments to the ballot title and/or question based upon the rules, regulations and policies of the Miami-Dade Supervisor of Elections, and are hereby authorized to take all steps necessary to fulfill the intent of this Ordinance.

SECTION 6. CONFLICT: All ordinances or Code provisions in conflict herewith are hereby repealed.

SECTION 7. SEVERABILITY: If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent



provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 8. INCLUSION IN CODE: It is the intention of the City Council of the City of Miami Gardens that in the event the ballot question presented herein is approved by the electors of the City that the provisions of this Ordinance shall become and be made a part of the Charter as included in the Code of Ordinances of the City of Miami Gardens and that the sections of this Ordinance may be renumbered or relettered and the word "Ordinance" may be changed to "Chapter," "Section," "Article" or such other appropriate word or phrase, the use of which shall accomplish the intentions herein expressed

SECTION 9. EFFECTIVE DATE: This Ordinance shall become immediately upon its passage.

PASSED ON FIRST READING ON 26<sup>TH</sup> DAY OF OCTOBER, 2011.

ADOPTED AND PASSED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS REGULAR MEETING HELD ON \_\_\_\_\_.

\_\_\_\_\_  
ATTEST:

\_\_\_\_\_  
SHIRLEY GIBSON, MAYOR

\_\_\_\_\_  
RONETTA TAYLOR, MMC, CITY CLERK

PREPARED BY: SONJA K. DICKENS, ESQ., CITY ATTORNEY

SPONSORED BY: RONETTA TAYLOR, MMC, CITY CLERK

Moved by:\_\_\_\_\_

Seconded by:\_\_\_\_\_

**VOTE:** \_\_\_\_\_

Mayor Shirley Gibson	____(Yes)	____(No)
Vice Mayor Aaron Campbell	____(Yes)	____(No)
Councilman David Williams Jr.	____(Yes)	____(No)
Councilwoman Lisa Davis	____(Yes)	____(No)
Councilman Andre' Williams, Jr.	____(Yes)	____(No)
Councilwoman Felicia Robinson	____(Yes)	____(No)
Councilman Oliver Gilbert, III	____(Yes)	____(No)